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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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CHAIRMAN
GARY PIERCE
COMMISSIONER
SANDRA D. KENNEDY
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COMMISSIONER

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
BLACK MOUNTAIN SEWER
CORPORATION, AN ARIZONA
CORPORATION, FOR A DETERMINATION
OF THE FAIR VALUE OF ITS UTILITY
PLANT AND PROPERTY AND FOR
INCREASES IN ITS RATES AND CHARGES
FOR UTILITY SERVICE BASED THEREON.

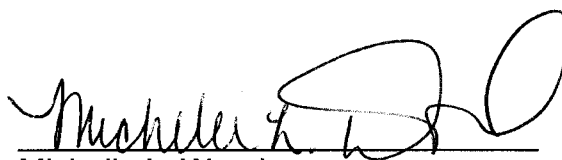
Docket No. SW-02361A-08-0609

**RUCO'S RESPONSE TO
COMPANY'S MOTION TO SUSPEND THE TIMECLOCK**

The Residential Utility Consumer Office ("RUCO") hereby responds to the Motion to Suspend the Time Clock filed in the above-referenced matter. RUCO does not agree that the Black Mountain Sewer rate case should be suspended in favor of the rate case of Litchfield Park Service Company ("LPSCO"). First, if the Company wanted to have the LPSCO case considered before Black Mountain, it should have filed the LPSCO case first. Second, although the Hook-Up Fee issues and the \$4.8 million post test year CIAC have been bifurcated from Phase 1 of the LPSCO proceeding, the Commission may well wish to consider those issues before approving rates. Fast-tracking the LPSCO rate case will simply undermine the ability of the Commission to examine those issues before deciding the rate case. Third,

1 the Black Mountain Homeowner's Association opposes further delay. For these reasons,
2 RUCO opposes the motion to suspend the time clock in Black Mountain Sewer.

3 RESPECTFULLY SUBMITTED this 10th day of March, 2010.

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7 Michelle L. Wood
8 Counsel

9 AN ORIGINAL AND THIRTEEN COPIES
10 of the foregoing filed this 10th day
11 of March, 2010 with:

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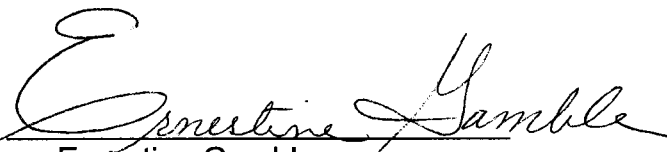
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